DETAILED ACTION

EXAMINER'S AMENDMENT

1.   An examiner's amendment to the record appears below. Should the changes

and/or additions be unacceptable to applicant, an amendment may be filed as provided

by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be

submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview

with Kevin G. Shao (Reg. No. 45095) on June 5, 2008.

The application has been amended as follows:

Claim 1:

line 47, the limitation "destructively edited." has been replaced as –

destructively edited;

providing reference data corresponding to the stored time based stream

information an wherein the selecting is by extracting the reference data from at

least a portion of a reference, wherein the reference forms at least one new

reference with reference data to the remaining time based stream of information,

and

wherein the extracted reference data is from a portion nested within the

reference and the reference splits into a first new reference corresponding to the

time based stream of information prior to the extracted reference data and a

second new reference corresponding to the time based stream of information

after the extracted reference data. –

Claim 5, line 1, the limitation "the method of claim 2" has been replaced as -- **the**

method of claim 1 –

Claim 6, lines 1-2, the limitation "wherein the moving is by permanently

eliminating the first portion of the information" has been replaced as -- **further**

comprising permanently eliminating the first portion of the time based stream of

information–

Claim 8:

lines 47-49, the limitation "if the first portion is not represented by more than one

reference data such that the first portion is no longer stored on the storage and is

thereby destructively edited." has been replaced as –

such that the first portion is no longer stored on the storage and is thereby

destructively edited;

wherein the selecting is by extracting corresponding reference data from at

least a portion of a reference, the reference forms at least one new reference to

the remaining time based stream of information after extracting; and

wherein the extracted reference data is nested in the reference and the reference splits into a first new reference corresponding to the time based stream of information prior to the extracted reference data and a second new reference corresponding to the time based stream of information after the extracted reference data. –

Claim 9: line 2, the limitation "the information" has been replaced as – **the first portion of the time based stream of information—**

Claim 12:

line 1, the limitation "the method of claim 11" has been replaced as – **the method of claim 8 –**

Claim 15: lines 1-2, the limitation "wherein the moving is by permanently eliminating the first portion of the information" has been replaced as -- **further comprising permanently eliminating the first portion of the time based stream of information–**

Claim 17:

line 9, the limitation "aa second" has been replaced as – **a second—**

line 39, the limitation "destructively edited." has been replaced as –

destructively edited;

wherein the storage further includes at least one reference having data corresponding to the time based stream of information and the processor is further for deleting the reference data;

wherein the processor further for forming at least one new reference with reference data to the remaining time based stream of information after deleting the reference data;

wherein the selecting is by extracting corresponding reference data from at least a portion of a reference; and

wherein the extracted reference data is nested in the reference and the reference splits into a first new reference corresponding to the time based stream of information prior to the extracted reference data and a second new reference corresponding to the time based stream of information after the extracted reference data. –

Claim 22: line 30, the limitation "destructively edited." has been replaced as – destructively edited;

means for providing a reference corresponding to the stored time based stream information and wherein the selecting is by extracting at least a portion of the reference;

wherein the extracted reference forms at least one new reference to the remaining time based stream of information; and

wherein the extracted portion is from a portion nested in the

reference and the reference splits into a first new reference corresponding to the

time based stream of information prior to the extracted reference data and a

second new reference corresponding to the time based stream of information

after the extracted reference data –

Claim 26, lines 1-2, the limitation "wherein the moving is by permanently

eliminating the first portion of the information" has been replaced as -- **further**

comprising permanently eliminating the first portion of the time based stream of

information --

Claim 28:

lines 3-4, the limitation "to perform a method, the method comprising:" has been

replaced as – **to perform:** --

line 32, the limitation "destructively edited." has been replaced as—

destructively edited;

providing a reference corresponding to the stored time based stream

information and wherein the selecting is by extracting reference data from at least

a portion of the reference, wherein the extracted reference forms at least one new

reference with reference data to the remaining time based stream of information,

and

wherein the extracted reference is from a portion nested in the reference and the reference splits into a first new reference corresponding to the time based stream of information prior to the extracted reference data and a second new reference corresponding to the time based stream of information after the extracted reference data. –

Claim 32:

line 1: the limitation "of claim 29" has been replaced as – **of claim 28**--

line 2, the limitation "which, when" has been replaced as – **being**--

Claim 33, lines 1-2, the limitation "wherein the moving is by permanently eliminating the first portion of the information" has been replaced as -- **further comprising permanently eliminating the first portion of the time based stream of information**–

Claims 2-4, 11, 13-14, 19-20, 23-25, 29-31 have been cancelled.

Allowable Subject Matter

Claims 1, 5-6, 8-10, 12, 15, 17-18, 22, 26, 28, 32-33 are allowed in view of the Amendment and applicant's arguments filed March 5, 2008. Particularly, as to claim 1, the prior art of record fails to disclose or fairly suggest the method of destructively

editing a time base stream of information in a processing system as variously claimed,

including in response to receiving a user deletion command for deleting the first portion,

determine whether there multiple references from one of more video clips of the second

display area and/or from thumbnail displayed in the first display area that are currently

referenced to the first portion; and permanently deleting the first portion of the time

based stream of information from the storage if there is no more than one reference

currently referenced to the first portion without examining storage capacity, in response

to the user deletion command such that the first portion is no longer stored on the

storage and is thereby destructively edited; providing reference data corresponding to

the stored time based stream information an wherein the selecting is by extracting the

reference data from at least a portion of a reference, wherein the reference forms at

least one new reference with reference data to the remaining time based stream of

information, and wherein the extracted reference data is from a portion nested within the

reference and the reference splits into a first new reference corresponding to the time

based stream of information prior to the extracted reference data and a second new

reference corresponding to the time based stream of information after the extracted

reference data.

Any comments considered necessary by applicant must be submitted no later

than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on

Statement of Reasons for Allowance."

Conclusion

2.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Newman et al. (US 6,154,600) discloses media editor for non-linear editing system.

Anderson et al. (US 5,917,488) discloses system and method for displaying and manipulating image data sets.

Itoh (US 5,966,122) discloses electronic camera.

Zhao et al. (US 7,073,127 B2) discloses video editing GUI with layer view.

3.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to SON P. HUYNH whose telephone number is (571)272-7295. The examiner can normally be reached on 9:00 - 6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher S. Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Son P Huynh/   June 5, 2008
Primary Examiner, Art Unit 2623